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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,836	10/20/2005	Hiroshi Fujita	AIA-111-PCT	6153
28892	7590	01/24/2008	EXAMINER	
SNIDER & ASSOCIATES P. O. BOX 27613 WASHINGTON, DC 20038-7613				VENCI, DAVID J
ART UNIT		PAPER NUMBER		
		1641		
MAIL DATE		DELIVERY MODE		
		01/24/2008 PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/553,836	FUJITA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	David J. Venci	1641	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on June 28, 2007.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) \_\_\_\_\_ is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) 1-22 are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Election/Restrictions***

This application contains the following inventions or groups of inventions which are not linked to form a single general inventive concept under PCT Rule 13.1. In accordance with 35 U.S.C. 121 and 372 and 37 CFR 1.499, Applicants are required to elect a single invention to which the claims must be restricted.

- I. Claims 1-4, 15 and 16, drawn to a special technical labeling method
- II. Claims 5-7, and 17, drawn to a special technical kit
- III. Claims 8, 9 and 14, drawn to a special technical screening method
- IV. Claims 10-13 and 18-22, drawn to a special technical labeling method

According to PCT Rule 13.2, unity of invention exists only when the invention shares a same or corresponding technical feature that is a contribution over the prior art. Here, the product of Invention II is used in the methods of Inventions I, III and IV. However, the technical feature linking Invention II with Inventions I, III and IV does not constitute a special technical feature as defined by PCT Rule 13.2 because the technical feature does not define a contribution over the prior art.

Specifically, Narang *et al.* (US 2005/0196431) describes all the elements of Invention II, including kits (see paragraph [0086], "applicators may incorporate or be packaged, such as in saleable kits, with one or more containers containing the adhesive composition") comprising adhesive tape (see paragraph [0092], "films", "membranes"; see also, paragraph [0093], "paper", "adsorbent in nature") and a fluorescent substance (see paragraph [0145], "aromatic amines such as [...] hydrazine") (paraphrasing mine).

Therefore, unity of invention is lacking because the technical feature linking the inventions does not constitute a special technical feature as defined by PCT Rule 13.2, because the technical feature does not define a contribution over the prior art.

Applicants are advised that a complete reply to this requirement must include: (i) an election of invention to be examined, even if the requirement is traversed<sup>1</sup> (37 CFR 1.143), and (ii) identification of the claims encompassing the elected invention. An argument that claims are allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Applicants are reminded that upon the cancellation of claims to non-elected inventions, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Venci whose telephone number is 571-272-2879. The examiner can normally be reached on 08:00 - 16:30 (EST). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le can be reached on 571-272-0823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative

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<sup>1</sup> Applicant may elect an invention or species with traverse or without traverse. To reserve a right to petition, Applicant must elect with traverse. Should Applicant traverse on the ground that the inventions or species are not patentably distinct, Applicant should clearly admit on the record, or submit or identify evidence on the record that the inventions or species are obvious variants. If Examiner finds one Inventions unpatentable over the prior art, Examiner may use the evidence or admission of record to reject other inventions under 35 U.S.C.103(a).

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or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

David J Venci  
Assistant Examiner  
Art Unit 1641

djv

*Long Le*  
**LONG V. LE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 1600**